

STATE OF INDIANA

_____ COURT
In the Matter Of: _____ Case No. _____

A Child In Need Of Services

ORDER FOR HEARING ON MOTION TO MODIFY
(Including Temporary Emergency Order)

A motion to modify Dispositional Decree has been filed.

The Court now sets the Motion for hearing on the _____ day of _____, _____,
at _____ o'clock ____M.

1. ☐ A request for an emergency change in the child's placement having been made, the Court (having heard and considered the sworn testimony) (having considered an affidavit showing that an emergency exists), now finds that the following grounds for a change in placement exists:
 - ☐ the child is unlikely to appear before the juvenile court for subsequent proceedings;
 - ☐ detention is essential to protect the child or the community;
 - ☐ the parent, guardian, or custodian cannot be located or is unable or unwilling to take custody of the child; or
 - ☐ the child has a reasonable basis for requesting that he/she not be released.
 - ☐ none; the request for emergency change in placement is denied.
 - ☐ Other _____
2. ☐ An emergency exists and the services ordered are necessary to protect the health and welfare of the child for the following reasons:

3. ☐ The current placement of the child is in:
 - ☐ foster care
 - ☐ kinship care with _____
 - ☐ _____ institution located in _____.☐ The current programs/services being provided to the child include: _____
_____.

The Modification Report recommends

- ☐ continuation of the existing placement
- ☐ continuation of existing programs/services
- ☐ change of placement to _____.
- ☐ change of programs/services to: _____.

4. ☐ (If the court does not accept placement recommendations presented) The Court proposes to change the child's current placement to _____ for the following reasons:

5. ☐ (If the court does not accept program or service recommended) The Court proposes to change the child's programs/services for the following reasons:
_____.

DCS shall review the Court's proposed placement, program or service for the child as stated above and submit a supplemental Modification Report to the court stating whether DCS approves or disapproves the proposed placement, program or service as stated herein, and if DCS disapproves the proposed placement, program or service, the reasons for disapproval.

6. ☐ (Use only if the placement ordered is not in the State of Indiana and not recommended by DCS) The Court finds by clear and convincing evidence that out of state placement is appropriate because:
☐ there is not a comparable facility with adequate services located in Indiana based on the following findings:
_____.

☐ the location of the home or facility is _____ and is within a distance not greater than fifty (50) miles from the county of the residence of the child which is _____.

7. ☐ (Use only if the child is removed by this order) It is in the best interest of the child to be removed from the home environment and continuation of residence in the home of the parent/guardian would be contrary to the health and welfare of the child because [the Court must make specific findings here]

_____.

Reasonable efforts (were) (were not) made to (prevent the child's removal from) (to reunite the child) with the child's parent, guardian, or custodian. Family services offered or provided:

_____.

A separate Financial Obligation Order is being issued.

A copy of this order is to be distributed to DCS.

DCS is given responsibility for placement and care of the child.

SO ORDERED this _____ day of _____, _____.

Judge